Madison, Wisconsin 53708-8044 TDD #: (608) 264-8777



Jim Doyle, Governor Jack L. Fischer, A.I.A., Secretary

# Wisconsin Department of Commerce, Bureau of PECFA **Bid Document**

## **SECTION 1 - Scope of Work**

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

Bid Round: 53

Comm #: 53901-2140-24-A BRRTS #: 03-11-001081

Site Name: Clark Station #1181

Site Address: 424 W Wisconsin St, Portage, 53901

Site Manager: Denise Nettesheim Address: 3911 Fish Hatchery Rd City, State Zip: Fitchburg, WI 53711-5367

Phone: 608-275-3209

e-mail: denise.nettesheim@wisconsin.gov

Bid Manager: Brian F. Taylor Address: P.O. Box 8044

City, State Zip: Madison, Wisconsin 53708-8044

Phone: (608) 266-0593

e-mail: Brian.Taylor@Wisconsin.Gov

Bid-Start Date:	February 4, 2008
Questions must be received by (See Section 2 (B)):	February 18, 2008, 4:00 PM
Responses will be posted by (See Section 2 (B)):	March 7, 2008
Bid-End Date and Time:	March 21, 2008, 4:00 PM

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

Ivize-Madison, 1 E Main, Madison, WI 53703 Phone: (608) 663-1041 Fax: (608) 663-1045

### **SECTION 2 – Site-Specific Bid Requirements**

#### **General Comments**

The property has had retail gasoline sales from approximately 1978 to 2007. Initial petroleum contamination was discovered in 1991 during fuel line replacement and lining of the on-site USTs. Approximately 85 cubic yards of petroleum contaminated soil was removed at the time. In July 2007, the three petroleum USTs (two 7,500 gallon and one 550 gallon kerosene) and associated piping and dispensers were removed from the site. The site buildings and structures have been recently removed and the site is now vacant.

Between 1991 and 1999, 16 soil borings, eight monitoring wells and five groundwater extraction wells were installed for site investigation and remediation. Approximately 17,200 gallons of contaminated groundwater was pumped from the extraction wells in 1999 to 2000. Small amounts of free product were detected in MW-4 in 1998 and 1999.

The site is underlain by fine sand to silty sand with gravel and clay to approximately 16 ft. below ground surface (bgs), the maximum depth explored. The depth to groundwater is approximately 8 to 11 ft. bgs. Groundwater flow direction is variable but is generally to the southeast towards the Portage Canal, but is likely influenced by the canal and the Wisconsin River.

## **Minimum Remedial Requirements**

Contaminated soil shall be remediated by means of soil excavation and off-site disposal. The area of excavation shall encompass the former UST basins and the area in between borings B-5 and B-7, including the two former dispenser pump islands.

Bids will be based on the excavation of 1,100 tons of <u>contaminated soil</u> to be excavated and disposed of off-site. The use of field screening or other appropriate technology is required in order to segregate clean excavated soil from contaminated soil for disposal. Bidders will be required to contact DNR and Commerce site managers no less than 1 week prior to excavation activities.

The excavation shall extend to 12 feet bgs, and should be back-filled with the clean soils segregated during excavation activities, as well as imported, clean material (must be silt and/or clay-rich soils). Excavation confirmation base and sidewall soil samples must be collected. A minimum of 18 sidewall samples and 4 bottom samples must be collected. For each sidewall sampling location, a soil sample must be collected in the 2 to 4 ft. interval and in the 9 to 11 ft. interval. Soil samples must be analyzed for petroleum volatile organic compounds (PVOCs) and naphthalene.

Attach a copy of Figure 2, Site Plan Map, depicting the area to be excavated. Failure to include this will result in a non-compliant bid.

#### **Groundwater Pumping to Facilitate Excavation**

Depending on the groundwater elevations prior to excavation, it may be necessary to pump from the excavation area in order to achieve the desired depth (12 ft. bgs). For purposes of bidding, assume 2,000 gallons to be pumped and properly disposed of. Costs will not be included in the Total Bid Amount.

## **Direct Contact Soil Sampling**

Collect one soil sample in the vicinity of the former northeastern most dispenser island (outside of the excavation area) and one soil sample in the vicinity of boring B6. The samples shall be collected using a hand auger and shall be collected in the 2 to 4 ft. interval. This sampling must be completed in conjunction with the excavation activities. Samples must be analyzed for PVOCs and naphthalene.

## **Groundwater Monitoring**

After the excavation is completed, conduct 2 years of groundwater sampling and analysis according to the following schedule. Analyze groundwater for PVOCs and naphthalene in all wells. Natural attenuation (NA) parameters must be sampled for in all monitoring wells in one round. At a minimum, NA parameters must include dissolved oxygen, ferrous iron, nitrate, and sulfate.

Well	Quarterly	Semi- Annually	Annually
MW-4, RW-2, RW-3, RW-4, RW-5	Х		
MW-1, RW-1,		Х	
MW-2, MW-3, MW5, MW-7, MW-8			Х

Tabulate all historical and current groundwater sampling data into one table.

Groundwater elevations must be measured in all monitoring wells and recovery wells, referenced to mean sea level, reported in tabular form, groundwater flow diagrams prepared and horizontal gradients calculated for each sampling round.

The bid shall include costs for proper disposal of all investigative/remediation wastes.

#### Reporting

Upon completion of excavation and soil sampling activities, a detailed remedial construction report, documenting the excavation activities and analytical results shall be prepared and submitted to the DNR.

After one year of post-excavation groundwater sampling, submit a brief report to DNR that documents groundwater-sampling results to date.

#### Completion of Scope of Work / Closure Submittal

While this bid is not a bid to closure, there is a possibility of attaining closure at the conclusion of the scope of work (SOW) conducted under this bid. Upon completion of the SOW discussed above, evaluate site conditions and all historical soil and groundwater analytical data, and evaluate the potential for closure consistent with the requirements of ch. NR 726, Wis. Adm. Code. Bid responses will include a separate cost to prepare and submit a complete closure report and GIS Registry packet (and all other closure related costs), for closure consideration by the Department of Natural Resources, if closure can be realized. The closure report must include all historical data and activities, and include the data results and documentation of the work activities completed in accordance with this bid. The report shall be submitted to DNR (and send a copy to Commerce).

If closure cannot be realized upon completion of the work scope discussed above, then a final report of data results and documentation of the work activities completed in accordance with this bid shall be submitted to the DNR (and send a copy to Commerce). If closure is not realized, then the cost cap established by this bid will be modified less the amount of the closure-related costs. Bid responses shall include a separate cost to prepare a non-closure final report.

## TCLP sampling (if applicable)

The cost to fulfill *all* landfill requirements for waste characterization analysis prior to soil disposal must be included. Be aware that Toxicity Characteristic Leaching Potential (TCLP) documentation and sampling requirements vary depending on the landfill. Therefore, bidders must include a line-item cost for TCLP sample collection and analysis, to be used if required. Costs will not be included in the Total Bid Amount.

### **SECTION 3 - Reporting Timeframes**

Within 60 days of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within 45 days of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

- 1. Within fourteen days of executing or terminating a contract with the RP.
- 2. Three months after entering into the contract with the RP.
- 3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
- 4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
- 5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
- 6. No later than 30 days after completing the work.
- As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

#### Claim Submittal

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe*, *point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

#### **Questions and Answers**

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

#### **SECTION 4 - Conditions of Bid**

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The Notice of Intent will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The Notice of Intent will be sent to the RP and will be posted on PECFA's Internet Web site.

#### **SECTION 5 - Instructions to Bidders**

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

- 1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
- 2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
- 3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
- 4. Bids *cannot* be faxed or sent electronically (email) to the program. Documents received by fax or email will not be considered.
- 5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
- 6. The consulting firm's name must be included and all pages of the Bid Response.
- 7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
- 8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
- 9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
- 10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

### **SECTION 6 - Bidder Disqualification**

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

- 1. Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
- 2. Failed to complete the scope of work in a bid in a timely manner.
- 3. Failed to follow DNR rules on the bid project.
- 4. Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
- 5. In any prior occurrence that has been publicly bid, failed to do either of the following:
  - a. Pay subcontractors after receiving payment for them.
  - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
- 6. Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
- 7. Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

# **BID RESPONSE**

(1<sup>st</sup> Page)

Department of Commerce PECFA Program

SITE NAME: Clark Station #1181 COMMERCE #: 53901-2140-24

BRRTS #: 03-11-001081

Submit Bid Response To:	Cathy Voges Public Bid Response Department of Commerce PECFA Bureau 201 W Washington Ave, Madison WI 53703-2760 or PO Box 8044, Madison WI 53708-8044		
Consulting Firm Name:	,		
Complete Mailing			
Address:			
Telephone:	( ) -		
Fax Number:	( ) -		
E-mail Address:			
Bidder (check one that app Professional Bidder (check one that app Professional Bid Professional Control Bid Amount:  Print Name:	ngineer License #eologist License #		
Title:			
I certify that I have the performance of the bid I ha Signature:	uthority to commit my organizat e submitted.	ion or firm to the	
-			

Personal information you provide may be used for secondary purposes [Privacy Law, s. 15.04(1)(m)].

# **BID RESPONSE**

(2<sup>nd</sup> Page)

Department of Commerce PECFA Program

SITE NAME: Clark Station #1181 COMMERCE #: 53901-2140-24

Consulting Firm Name:

BRRTS #: 03-11-001081

	id will be considered non-compliant if the bid responsarate tabulation of costs for each activity.	onse does not include a		
1	Excavation and Disposal (1,100 tons)	\$		
2	Direct Contact Sampling	\$		
3	Groundwater Sampling	\$		
4	Reporting	\$		
5	Closure	\$		
6	PECFA Claim Preparation	\$		
	Total Bid Amount	\$		
CONTINGENCY COSTS (Will be Approved and Added to the Bid Cap as Needed)				
	Groundwater Pumping to facilitate excavation (if applicable)	\$		
•	Collection and Analysis of TCLP Soil Samples for Landfill Disposal	\$		

#### **BID RESPONSE**

(3<sup>rd</sup> Page)

Department of Commerce PECFA Program

SITE NAME: Clark Station #1181 COMMERCE #: 53901-2140-24

BRRTS #: 03-11-001081

This response must address all of the site-specific requirements identified in Section 2, and shall support in detail the remedial strategy. Attach additional pages if necessary. *The Commerce Number and Consulting Firm name must be included on all additional pages*. The pages of each Bid Response must be *stapled* together. No paper clips or spiral bindings please.